

UNITED STATES DISTRICT COURT**Northern District of California**

Maxim Integrated Products, Inc.,

08-00979 MHP

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

v.

Freescale Semiconductor, Inc.,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
to an e-mail directed to adr@cand.uscourts.gov.

It is the responsibility of counsel to schedule an ADR Phone Conference, if
required, to occur before the Case Management Conference.

Dated: May 22, 2008

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



ADR Administrative Assistant
415-522-4205
Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Maxim Integrated Products, Inc. v. Freescale Semiconductor, Inc.

Case Number: 08-00979 MHP

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On May 22, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Jo Dale Carothers
Heller Ehrman LLP
4350 La Jolla Village Drive
7th Floor
San Diego, CA 92122-1246
jodale.carothers@hellerehrman.com

Alan H. Blankenheimer
Heller Ehrman LLP
4350 La Jolla Village Drive
7th Floor
San Diego, CA 92122-1246
alan.blankenheimer@hellerehrman.com

Laura E. Underwood-Muschamp
Heller Ehrman LLP
4350 La Jolla Village Drive
7th Floor
San Diego, CA 92122
laura.muschamp@hellerehrman.com

Christopher K. Eppich
Heller Ehrman LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, CA 92122
christopher.eppich@hellerehrman.com

Charles M. Kagay
Spiegel Liao & Kagay, LLP
388 Market Street
Suite 900
San Francisco, CA 94111
cmk@slksf.com

Robert M. Manley
McKool Smith, P.C.
300 Crescent Court
Suite 1200
Dallas, TX 75201
rmanley@mckoolsmith.com

Douglas A. Cawley
McKool Smith PC
300 Crescent Court
Suite 1200
Dallas, TX 75201
dcawley@mckoolsmith.com

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 22, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz

Handwritten signature of Timothy J. Smagacz in black ink.

ADR Administrative Assistant

415-522-4205

Tim_Smagacz@cand.uscourts.gov